

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
NEW ALBANY DIVISION

IN RE:)	Chapter 11
)	
EASTERN LIVESTOCK CO., LLC)	Case No. 10-93904-BHL-11
)	
Debtor.)	Hon. Basil H. Lorch III

**AGREED MOTION TO CONTINUE EVIDENTIARY HEARING ON
STAY RELIEF MOTION FILED BY THE PEOPLES BANK & TRUST COMPANY
OF PICKETT COUNTY**

James A. Knauer ("Trustee") and Peoples Bank & Trust Company of Pickett County ("Bank" collectively with the Trustee, the "Parties"), both by counsel, respectfully request that the Court enter an order continuing until the next scheduled omnibus hearing¹ the hearing currently scheduled for November 15, 2011 (the "Hearing") on Bank's *Motion for Relief From Automatic Stay and Abandonment of Property* [Docket Nos. 300 and 317] (the "Stay Relief Motion") and all objections thereto.

The Stay Relief Motion requests entry of an order under 11 U.S.C. § 362 terminating the automatic stay and abandoning from Debtor's bankruptcy estate certain real estate owned by Debtor in Harrison County, Indiana (as more particularly described in the Stay Relief Motion, the "Real Estate"). Bank alleges that Debtor granted Bank a mortgage against the Real Estate (the "Mortgage") on September 30, 2008 as security for a \$1,500,000 loan that Bank made to Thomas and Patsy Gibson. (*See* Stay Relief Motion ¶4.). The Trustee has filed objections to the Stay Relief Motion [Docket Nos. 334 and 454] asserting that there may be equity in the Real Estate and that the Mortgage may be avoidable pursuant to 11 U.S.C. 544.

¹ The next omnibus hearing scheduled in this Chapter 11 Case is set for December 14, 2011 at 10:00 a.m. EST.

The Parties agree that they need additional time to conduct discovery regarding the issues raised by the Trustee's objections and have agreed to a discovery schedule that they currently anticipate will allow the Parties to complete the requested discovery and exchange their anticipated evidence in time for the next scheduled omnibus hearing in this Chapter 11 Case.

WHEREFORE, the Parties respectfully request that the Court enter an order continuing the Hearing until December 14, 2011 at 10:00 a.m. EST and granting the Parties all other just and proper relief.

Respectfully submitted,

By: /s/ Dustin R. DeNeal

Counsel for James A. Knauer, Chapter 11 Trustee

James M. Carr (#3128-49)
Kevin M. Toner (#11343-49)
Terry E. Hall (#22041-49)
Dustin R. DeNeal (#27535-49)
300 N. Meridian Street, Suite 2700
Indianapolis, IN 46204-1782
Telephone: (317) 237-0300
Facsimile: (317) 237-1000
jim.carr@bakerd.com
kevin.toner@bakerd.com
terry.hall@bakerd.com
dustin.deneal@bakerd.com

Wendy W. Ponader (#14633-49)
Baker & Daniels LLP
600 East 96th Street, Suite 600
Indianapolis, IN 46240
Telephone: (317) 569-9600
Facsimile: (317) 569-4800
wendy.ponader@bakerd.com

CERTIFICATE OF SERVICE

I hereby certify that on November 10, 2011, a copy of the foregoing pleading was filed electronically. Notice of this filing will be sent to the following parties through the Court's Electronic Case Filing System. Parties may access this filing through the Court's system.

David L. Abt
davidabt@mwt.net

Mark A. Robinson
mrobinson@vhlaw.com

Randall D. LaTour
rdlatour@vorys.com

Daniel J. Donnellon
ddonnellon@ficlaw.com

John W. Ames
jwa@gdm.com

Jeremy S Rogers
Jeremy.Rogers@dinslaw.com

Meredith R. Thomas
mthomas@daleeke.com

Charles R. Wharton
Charles.R.Wharton@usdoj.gov

David L. LeBas
dlebas@namanhowell.com

Jessica E. Yates
jyates@swlaw.com

Laura Day Delcotto
ldelcotto@dlgfir.com

Ross A. Plourde
ross.plourde@mcafeetaft.com

Todd J. Johnston
tjohnston@mcjllp.com

Karen L. Lobring
lobring@msn.com

Elliott D. Levin
robin@rubin-levin.net
edl@trustesolutions.com
Sean T. White
swhite@hooverhull.com

Michael W. McClain
mike@kentuckytrial.com

James Edwin McGhee
mcghee@derbycitylaw.com

Jerald I. Ancel
jancel@taftlaw.com

David Alan Domina
dad@dominalaw.com

C. R. Bowles, Jr
crb@gdm.com

Jeffrey R. Erler
jeffe@bellnunnally.com

John R. Carr, III
jrciii@acs-law.com

Stephen A. Weigand
sweigand@ficlaw.com

Robert Hughes Foree
robertforee@bellsouth.net

Ivana B. Shallcross
ibs@gdm.com

William Robert Meyer, II
rmeyer@stites.com

James Bryan Johnston
bjtexas59@hotmail.com

Judy Hamilton Morse
judy.morse@crowedunlevy.com

John Huffaker
john.huffaker@sprouselaw.com

Kelly Greene McConnell
lisahughes@givenspursley.com

Walter Scott Newbern
wsnewbern@msn.com

Timothy T. Pridmore
tpridmore@mcjllp.com

Sandra D. Freeburger
sfreeburger@dsf-att.com

John M. Rogers
johnr@rubin-levin.net

Robert H. Foree
robertforee@bellsouth.net

William E Smith
wsmith@k-glaw.com

Thomas C Scherer
tscherer@binghamchale.com

Jeffrey J. Graham
jgraham@taftlaw.com

Kent A Britt
kabritt@vorys.com

John Hunt Lovell
john@lovel-law.net

Edward M King
tking@fbtlaw.com

Bret S. Clement
bclement@acs-law.com

John Frederick Massouh
john.massouh@sprouselaw.com

Kim Martin Lewis
kim.lewis@dinslaw.com

Deborah Caruso
dcaruso@daleeke.com

Allen Morris
amorris@stites.com

James T. Young
james@rubin-levin.net

John M. Thompson
john.thompson@crowedunlevy.com

Matthew J. Ochs
matt.ochs@moyewwhite.com

T. Kent Barber
kbarber@dlgfir.com

Kirk Crutcher
kcrutcher@mcs-law.com

Theodore A Konstantinopoulos
ndohbky@jbandr.com

Lisa Koch Bryant
courtmail@fbhlaw.net

John David Hoover
jdhoover@hooverhull.com

Sarah Stites Fanzini
sfanzini@hopperblackwell.com

Susan K. Roberts
skr@stuartlaw.com

David A. Laird
david.laird@moyewwhite.com

Trevor L. Earl
tearl@rwsvlaw.com

Joshua N. Stine
jnstine@vorys.com

Jill Zengler Julian
Jill.Julian@usdoj.gov

Jeffrey L. Hunter
jeff.hunter@usdoj.gov

Amelia Martin Adams
aadams@dlgfirm.com

Michael Wayne Oyler
moyler@rwsvlaw.com

Jason W. Cottrell
jwc@stuartlaw.com

Robert A. Bell
rabell@vorys.com

James E. Rossow
jim@rubin-levin.net

James B. Lind
jblind@vorys.com

Melissa S. Giberson
msgiberson@vorys.com

I further certify that on November 10, 2011, a copy of the foregoing pleading was served via electronic mail transmission on the following:

Ashley S. Rusher
asr@blancolaw.com

Darla J. Gabbittas
darla.gabbittas@moyewwhite.com

/s/ Dustin R. DeNeal
